IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.4445 OF 2003

The State of Maharashtra & Ors. ...Petitioners.
Vs.
Shri Vijaykumar Dadaji Gaikwad. ...Respondent.

....

Mr. A. P. Vanarshe, AGP for the Petitioners.
Mr. N.V. Bandiwadekar for the Respondent.

.....

CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.

February 8, 2006.

P.C.

Rule. Heard forthwith.

On behalf of the Respondent, the Learned Counsel produced a copy of the order dated 8th September 2005 passed in Writ Petition 1551 of 2002 and other petitions. By that order, the order of the Administrative Tribunal, quashing and setting aside the order of holding the departmental enquiry, were set aside and the matters were remanded back to the Tribunal for hearing according to law. Considering that, the present petition also has to be allowed. In the light of that, impugned order dated 19th December 2000 in O.A. No.747 of 2000 is set aside, and the matter is remanded back to the Tribunal for hearing the matter on

merits and disposing of accordingly. In the meantime, pending decision by the Tribunal, status quo as of today to be maintained.

Rule made absolute accordingly. No order as to costs.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)